

Guiding Principles for Victim Notifications:

The core guiding principles for victim notification in delayed CODIS-hit cases are that contacts with the victims should be victim-centered and trauma-informed.

Victim-Centered

- The victim is at the center of all decisions regarding recovery and any involvement with the criminal justice system;
- Victim's choice, safety, and well-being is the focus;
- The needs of the victim are everyone's concern and a collective effort

Trauma-Informed

- Tending to victims' emotional safety, as well as their physical safety;
- Strengthening victims' capacity to recover from the traumatic effects of abuse and violence by providing information, resources, services, and support;
- Educating victims, service providers, and the general community about the impact of trauma on victims' health and well-being.

SAK Analysis Results:

Possible results from SAK analysis include:

- CODIS hit, suspect identified
- Case-to case CODIS hit, no suspect identified
- DNA positive, CODIS eligible
- DNA positive, CODIS ineligible
- DNA negative

Best Practices:

Regardless of the SAK analysis results, victim notification should be considered on a case-by-case basis. Best practices pertaining to notifications as identified by the Joyful Heart Foundation include:

- Victim centered/trauma informed approach
- Protect privacy and confidentiality
- Provide thorough information
- Training of notifiers
- Support and resources
- Prioritize safety

Victim Notification:

Notifications will almost always occur in delayed CODIS-hit cases in which a previously unidentified suspect is identified, and in which the case has not resulted in conviction or adjudication. In some instances, victim notification may be

necessary to help inform the decision by law enforcement and/or prosecution as to whether charges will be filed in a particular case. However, depending on the SAK analysis result and case circumstances, notification may not always be necessary or appropriate, especially under circumstances where it is determined that notification may have a high risk of danger or lethality for the victim; or under circumstances in which the CODIS- hit does not meaningfully impact the circumstances surrounding the current status of the case.

Victim Notification Review Team:

The purpose of the Victim Notification Review Team is to consider the unique circumstances of each victim and decide whether victim notification is appropriate. If notification is appropriate, the team will recommend how, where, and when the notification will take place, and who will conduct the notification. The review will consider things like the safety of the victim, the privacy of the victim, the current status of the identified suspect, and the integrity of the criminal investigation. The team will work together to ensure that victim notifications are conducted in a victim-centered and trauma-informed manner to minimize potential re-traumatization. Notifications should also be done in a timely manner to avoid the victim first learning about the new case activity from other sources.

At a minimum, the Victim Notification Review Team will consist of the sergeant of the Reno Police Department Detective Section Sex Crimes/Child Abuse Unit and a victim advocate. Depending on case circumstances, representatives from the Washoe County District Attorney's office, Washoe County Child Advocacy Center, Washoe County Social Services, detectives, or any other personnel that may have case information or insight will also participate in the review.

The Victim Notification Review Team will report to the Reno Police Department Detective Section lieutenant and the Victim Services Unit supervisor. The Detective Section lieutenant will have final discretion in all matters pertaining to the notification and investigation. The Victim's Services Unit supervisor will have discretion in matters pertaining to advocacy.

Victim Contact:

The first contact with a victim sets the tone for continued participation on the part of the victim. This contact should usually be conducted by the Sex Crimes/Child Abuse Unit sergeant or an investigator in accordance with the recommendation of the Victim Notification Review Team. Whenever possible, a victim advocate should be available during all notifications in case immediate care and resources may be appropriate.

The ideal form of initial communication will usually be telephone. If this option is not available, the notifier will usually attempt an in-person notification, and may consider US mail notification, e-mail notification, alternate contacts, or coordinating

with another jurisdiction. Some factors regarding some of these notification options are attached to this protocol.

The notifier should be familiar with the case circumstances and prepared to answer questions and facilitate advocacy. The notifier should ask the victim if they desire to continue the investigation and participate in the process. However, this should not be emphasized as something that must be decided in the moment. It is important to empower the victim, and the notifier should explain to the victim they have time to digest the notification and consider all implications prior to making that decision. Depending on the wishes of the victim, it may be appropriate to schedule a second contact with the victim to go over the investigation in more detail. How and when this contact takes place should take into consideration the wishes of the victim.

Regardless of whether or not the victim makes any decisions in regards to the investigation, the victim will be offered an opportunity to speak with a victim advocate either on the telephone or in-person when reasonable. The victim advocate should coordinate with the victim to conduct a needs assessment, provide appropriate referrals, and educate the victim about available support and services. This process may not necessarily be completed during the initial contact depending on the case circumstances and wishes of the victim.

During all first contacts, the victim will be provided with contact information for both law enforcement and the involved victim advocate, and be encouraged to recontact the notifier or advocate with any questions or concerns that may arise.

Future contacts with the victim will take place in accordance with existing practices for sexual assault investigations, which are focused on being victim-centered and trauma-informed. The victim's safety and privacy will be prioritized throughout the process, and the victim will be treated with respect and compassion during each and every contact.

Ongoing advocacy services for the victim and family are the responsibility of the advocate.

FACTORS REGARDING OPTIONS FOR NOTIFICATION:

In-person notification

Positive Factors:

- Immediate crisis intervention is possible at the time of notification.
- The victim's immediate questions can be answered, and fears about going forward with the case can be potentially allayed.
- In-person contact presents a personal approach that lays groundwork for a victim-centered relationship.

Negative Factors:

- The Victim may not have told family or friends about his or her past and the crime, and victim privacy can be threatened if family or friends are present during notification.
- The victim may be distrustful or even angry with law enforcement due to past experience or the delay in testing the evidence. The presence of a law enforcement representative may trigger negative reactions and may make a victim unwilling to cooperate. A victim advocate can be particularly helpful to serve as a buffer between the victim and detective.

Telephone Notification

Positive Factors:

- Phone contact is more confidential than in-person notification.
- It gives victims an opportunity to call back at a time when it's convenient for them.
- The victim can choose the time and place to meet in person to receive details about the case.
- It allows the victims to gather support people before an in-person meeting with the detective.

Negative Factors:

- Phone contact may seem impersonal for such an important matter.
- Finding current telephone numbers for some victims can be very difficult.

U.S. Mail Notification

Positive Factors:

- Notification by U.S. mail is likely to be noticed by the recipient, as opposed to email.
- It is a good option for those who, after attempts, cannot easily be reached in person or via phone.

Negative Factors:

- U.S. mail is potentially the least confidential, thus contact by letter should be a last choice. A letter may be received and opened by someone else at the victim's last known address. Therefore, the letter should be written in as generic of terms as possible.
- Victims who relocate frequently may not be reachable by U.S. mail.

Email Notification

Positive Factors:

- Email may be the victim's primary form of communication and can be an effective way to provide ongoing notification.
- Email can more easily follow a victim who relocates (as opposed to U.S. mail or a landline telephone number).

Negative Factors:

- Email can be too impersonal and, thus, should not ordinarily be used to re-establish contact after a substantial period of time.
- Because email addresses may become inactive, emails can be misdirected by spam filters and can be overlooked; notice by email should request a receipt.
- If receipt of the email notification is not acknowledged, notification by other means should be attempted.